

1 AN ACT concerning immigrants.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the
5 Immigrant Victim of Crime Reporting Act.

6 Section 5. Purpose. The purpose of this Act is to
7 remove barriers to investigations of criminal conduct
8 committed against undocumented residents of this State
9 without jeopardizing the residents' immigration status.

10 Section 10. Definitions. For the purposes of this Act:

11 "Felony" means an offense for which a sentence to death
12 or to a term of imprisonment in a penitentiary for one year
13 or more is provided;

14 "Victim" means (1) a person physically injured in this
15 State as a result of a violent crime perpetrated or attempted
16 against that person or (2) a person who suffers injury to or
17 loss of property as a result of a violent crime perpetrated
18 or attempted against that person or (3) a single
19 representative who may be the spouse, parent, child or
20 sibling of a person killed as a result of a violent crime
21 perpetrated against the person killed or the spouse, parent,
22 child or sibling of any person granted rights under this Act
23 who is physically or mentally incapable of exercising such
24 rights, except where the spouse, parent, child or sibling is
25 also the defendant or prisoner or (4) any person against whom
26 a violent crime has been committed or (5) any person who has
27 suffered personal injury as a result of a violation of
28 Section 11-501 of the Illinois Vehicle Code, or of a similar

1 provision of a local ordinance, or of Section 9-3 of the
2 Criminal Code of 1961, as amended.

3 "Violent crime" means any felony in which force or threat
4 of force was used against the victim, or any offense
5 involving sexual exploitation, sexual conduct or sexual
6 penetration, domestic battery, violation of an order of
7 protection, stalking, or any misdemeanor which results in
8 death or great bodily harm to the victim or any violation of
9 Section 9-3 of the Criminal Code of 1961, or Section 11-501
10 of the Illinois Vehicle Code, or a similar provision of a
11 local ordinance, if the violation resulted in personal injury
12 or death, and includes any action committed by a juvenile
13 that would be a violent crime if committed by an adult. For
14 the purposes of this Act, "personal injury" shall include
15 shall include severely bleeding wounds, distorted
16 extremities, injuries that require immediate medical
17 attention, and injuries that require the injured party to be
18 carried from the scene;

19 Section 20. Immigrant crime victim reporting program.
20 The Department of Human Services shall establish a program
21 for the investigation of crimes committed against victims in
22 this State who are undocumented residents of the United
23 States. The Department shall have the duty and authority to
24 investigate all criminal complaints made by victims who are
25 undocumented residents of the United States and shall not
26 release to any other State or federal agency any identifying
27 information about the victim or his or her family unless the
28 victim signs a written document allowing this release of
29 information. Even if the victim does not sign this release,
30 the Department has the obligation to investigate the victim's
31 complaint.

1 Section 25. Petition by Governor. In cases where the
2 legal immigration status is necessary for the investigation
3 or prosecution of any violent crime or felony offense, the
4 Governor of this State shall petition the appropriate federal
5 agency to obtain legal immigration status for the victim or
6 any witness necessary to the investigation or prosecution.

7 Section 99. This Act takes effect upon becoming law.